

Conservation Commission – Town of Spencer



Minutes

Conservation Commission Meeting
Wednesday, May 27, 2009 at 7:00 PM
Conference Room A
Memorial Town Hall

The Meeting was opened at 7:00 p.m.

Commissioners Present: Ernest Grimes (Chairman), Steve Manuel, Mary McLaughlin, Chris Plant

Commissioners Absent: Warren Snow, Judy Lochner, Karen Rubino

Staff present: Ginny Scarlet & Lisa Daoust

Minutes Approved:

May 13, 2009 – *A motion to approve the minutes as written (McLaughlin/Manuel) passed 4/0.*

Signed & Notarized:

190 Northwest Road, 3 yr. Extension
200 Northwest Road, 3 yr. Extension
10 Wilson Avenue, 3 yr. Extension
Burncoat Pond Audubon Sanctuary Conservation
Restriction
Greenville Street, Pine Cliff Condos, Order of Conditions
Donnelly Cross Road, 3 yr. Extension
Point Eastalee Drive, 3 yr. Extension

7:15 p.m. Opened the Continuation of the Public Hearing for Notice of Intent for Country Spirits Corp.

Property: 10 West Main Street, Spencer, MA DEP#293-0724

Mr. Dubois said the big concern from the last hearing was the recharge. Mr. Dubois submitted a couple of different scenarios to Cullinan Engineering. The previous plan showed the roof drain going directly into a manhole then into the detention basin. Mr. Dubois rerouted the drainage to come out into a mounted area to keep the drainage higher with a row of storm tech units. Cullinan Engineering did not like that design either because they did not feel the drainage was sited in a good area. Mr. Dubois said the site now is designed so the runoff from the yard and the parking lot will flow into a 3' deep by 2' wide gravel strip that runs along the edging of the parking lot to give some recharge. The gravel strip gives 260 cubic feet of recharge. Mr. Dubois said the Planning

Board has approved this plan. Ms. Scarlet said she combed through the regulations and called DEP about the recharge. The DEP Circuit Rider said “as far as she knows”, new construction is required to have recharge. Ms. Scarlet said because there was previous a building on this site and the National Grid towers are there, this can be considered as “redevelopment” and that does allow a maximum extent practicable standard. The soils are mostly in hydrologic group C. A small area is group D. All have very high ground water which makes it impossible to create a recharge system that meets the DEP requirement to be 2 ft. above groundwater. Ms. Scarlet opined that the high groundwater makes the C soils effectively D soils. Therefore, this design by providing some recharge and by diverting run-on from the abutting property into vegetated ground hence reducing stormwater runoff reaching the drainage system does meet MEP. Mr. Dubois said the Planning Board wants the entrance on Olde Main Street to be the main construction entrance and exit because of safety issues. The track pad will be frequently cleaned to prevent discharge of sediment to the road drainage and hay bales will be placed across the entrance at the end of work each day.

The proposed conditions are as follows:

- Operation & Maintenance Plan
- Standard Conditions
- Pre construction meeting

A motion to close the public hearing (Plant/Manuel) passed 4/0.

A motion to accept the plan as submitted with conditions as discussed (McLaughlin/Plant) passed 4/0, Order of Conditions to be issued.

7:23 p.m. Opened the Continuation of the Public Hearing for Notice of Intent for Carol Sweeney

Property: 7 Dufault Road, Spencer, MA DEP#293-0727

Mr. Grimes said this hearing had been continued pending an issuance of a DEP number. The DEP number has now been assigned.

A motion to close the public hearing (McLaughlin/Manuel) passed 4/0.

A motion to approve the plan as presented with standard conditions (McLaughlin/Manuel) passed 4/0.

7:25 p.m. Opened the Public Hearing for Notice of Intent for Cisterian Abbey of Spencer, Inc.

Property: North Spencer Road, Spencer, MA DEP#293-0726

At the request of the applicant, the hearing has been continued to June 10, 2009.

The Commission has been asked by email to agree to a suspension of the timeline for the review by the Natural Heritage Program so the applicant can work out a protective plan with Natural Heritage.

A motion to suspend the timeline for Natural Heritage (Manuel/McLaughlin) passed 4/0.

Other Business:

Laureldale Woods II: A three year Extension was requested. No work has commenced on this section of the subdivision because of the economy. Laureldale II will not start until Laureldale I is complete and has obtained a Certificate of Compliance. There is still work to be done on Laureldale I; therefore, the three year extension is necessary. The Planning Board extended their project until April of 2011. *A motion for a three year extension (Manuel/McLaughlin) passed 4/0.*

Donnelly Road and Point Eastalee Drive: Mr. Anthony Bonaventura is seeking another extension for these two lots. The project has not been started because of the economy. Mr. Bonaventura checked with DEP to see if any regulations have changed which apply to his project. They told him nothing has changed. Mr. Grimes asked Mr. Bonaventura when he started the project. The initial Notice of Intent was done in 2001 before Mr. Bonaventura purchased the land. His personal issues happened about a year and a half after that. Mr. Bonaventura still intends to build and that is why he would like an extension. Ms. Scarlet asked if the lots were created after 1996. Mr. Bonaventura said they were created well before 1996. Ms. Scarlet said she looked at the Order and she does not see any reason why the Extension shouldn't be granted. *A motion to grant a 3 year Extension (Plant/Manuel) passed 4/0.*

200 Northwest Road & 190 Northwest Road: Ms. Scarlet said the 200 Northwest Road property is right up against the Oakham line. Both lots have existing Orders of Conditions. Nothing has changed. 200 Northwest Road has been sold. Ms. Scarlet was out there to watch the second set of deep hole tests. Ms. Scarlet does not see any reason why these two Orders should not be extended. *A motion to grant 3 year Extensions for 190 & 200 Northwest Road (McLaughlin/Plant) passed 4/0.*

37 GH Wilson Road: Ms. Scarlet said she had set up an appointment with the Aucoins but did not make it to the meeting. Ms. Scarlet will reschedule with the Aucoins.

69 East Charlton Road: Ms. Scarlet met with the owner, Sean Seymour. Ms. Scarlet looked at the situation and decided to have Mr. Seymour seed instead of installing erosion controls, which he has done.

64 Paxton Road: Mr. Grimes reported that there was a swimming pool installed. Ms. McLaughlin suggested the Commission look at this property when they go out to do site visits. The pool may be in the buffer zone.

60 East Charlton Road: Ms. Scarlet reports that there has been a new driveway started next to the pond. She walked through and it looks like they filled in some isolated wetland. Mr. Grimes believes at some point in the past the owners came in and filed a Notice of Intent. Ms. Scarlet said she can not find a file for this address. Ms. Scarlet will send a letter contacting the owners.

Dowgielewicz Drive: Ms Scarlet said there is a new intermittent stream. On the corner of Northwest Road and Dowgielewicz Drive, there was a pocket of wetland where drainage came in under Dowgielewicz Drive. That water was absorbed on the lot at 176 Northwest Road. Due to the regrading for construction of a new house, Mr. Faucher had to construct a swale to keep the drainage from running into the house. The water from up on Dowgielewicz Drive has increased because the land on Dowgielewicz Drive was changed to pastures. A new channel has been created by the increased flow going into the wetland. Now both properties have wetlands (intermittent stream) on them. Ms. Scarlet's question for the Commission is does the Commission have any responsibility to warn the owners of those properties of their new responsibilities to protect the wetlands. Mr. Manuel said he believes a letter should be sent to the owners informing them of the wetlands that now are on their properties and if they plan to do any work on their properties within 100' of or in the new stream, they will need to file with the Commission.

93 Lakeshore Drive: Mr. Kelly owns 93 Lakeshore Drive which is a camp house and the property across the street. He wants to subdivide the lot across the street into three lots. Clearing and grubbing has been going on which has increased the runoff from those lots across the road onto the lot with the camp house. There is a pocket that is now growing wetlands vegetation. Down below the house is the pond shore with wetland vegetation about 20 feet from the bank. Someone has been depositing old machinery and old washing machines by the house. The neighbor has complained because he is unhappy about the general condition of the place. Ms. Scarlet said she will send a letter to the owner cautioning him that he is creating wetland and could face a regulation if wetland gets established.

Richard Sugden Library: Ms. Scarlet said that the Library is running a summer program for kids. They want to do a geo-caching program for the teenagers. They will have GPS units for the kids to use. Mary Baker-Wood is asking the Commission for thoughts about what would be neat routes. The Commission said there are lots of trails at Howe State Park, Buck Hill and Mid-State Trail.

North & South Ponds: Their Lake Association is applying for a second level 319 Grant to continue their efforts to clean up the pond. The Association is soliciting letters of support. They have gotten one from our Highway Department because some of Spencer's stormwater goes into their pond. The Commission authorized Ginny to send a letter of support to QQLA from the Commission.

Site Visits: Spencer Abbey and 64 Paxton Road site visits will be done on Monday, June 1st at 6pm. The Commission is to meet in the parking lot of the Abbey. Site visits for the Little League field on Wire Village Road and 69 Bacon Hill Road will be on Monday, June 8th at 6pm. The Commission will meet at the Little League field.

Internship: Chris Plant is going to be doing an unpaid internship for the summer. He will be working with Ginny sorting and cleaning up the Conservation files, working with the GIS system and doing some inspections.

Wire Village School Detention Basin: Mr. Grimes reported that the detention basin is growing trees and is not being maintained at all. Ms. Scarlet said a letter was sent last fall and the Commission did not receive any response. Ms. Scarlet will send another letter.

New Applications: Bacon Hill Road, RDA
 Wire Village Road, Little League, NOI

A motion to adjourn the meeting at 8:45 p.m. (Manuel/Plant) passed 4/0.

Respectfully submitted by:

Lisa Daoust, Clerk
Development & Inspectional Services